



September 23, 2019
 Stallings Town Hall
 315 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

	Time	Item	Presenter	Action Requested/ Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:20 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written. <i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i> Motion: I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: _____
2.	7:35 p.m.	TX19.08.01 <i>(Tabled from 09-09-19)</i> Text amendment request to Development Ordinance article 8.4-6 (F)(2) to clarify the minimum lot size requirement of 6,000 square feet applies to single family detached housing type. A. Re-Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote	Lynne Hair, Town Planner	Approve TX19.08.01 Motion: I make the motion to approve TX19.08.01.
3.	7:50 p.m.	TX19.08.02 <i>(Tabled from 09-09-19)</i> Text amendment request to Development Ordinance Article 5.4 amending the application procedures for conditional zoning request. A. Re-Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote	Lynne Hair, Town Planner	Approve TX19.08.02 Motion: I make the motion to approve TX19.08.02.
4.	8:00 p.m.	TX19.09.01 Text amendment to Table 8.1 of the Stallings Development Ordinance changing Multi Family Housing from a use-by-right to a CZ in the TNDC TC, MU-1 and MU-2 Districts. A. Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote	Lynne Hair, Town Planner	Approve TX19.09.01 Motion: I make the motion to approve TX19.09.01.

5.	8:10 p.m.	TX19.09.02 Text amendment changing the Method of Procedure for Mailed Notification of Zoning Map Amendments - Article 5.3-3 (B)(2); Public Notification for Conditional Use Permits – Article 7.8-8; Notification Procedure for Vested Rights – Article 7.14-2, increasing the required distance of mail notifications to 500'; and, the removal of Article 10.1-24 (7) Multi Family. A. Open Public Hearing B. Information from Staff C. Close Public Hearing D. Council Vote	Lynne Hair, Town Planner	Approve TX19.09.02 <i>Motion: I make the motion to approve TX19.09.02.</i>
6.	8:20 p.m.	Text Amendment Consideration <i>Section 9.8-2.b.2 (Tabled from 09-09-19)</i>	Lynne Hair, Town Planner	Approve text amendment to Section 9.8-2.b.2. <i>Motion: I make the motion to approve text amendment to Section 9.8-2.b.2.</i>
7.	8:40 p.m.	Annexation 53 – Chestnut Lane <i>Resolution Setting the Public Hearing Date</i>	Erinn Nichols, Asst. Town Mgr.	Approve the resolution <i>Motion: I make the motion to adopt the Resolution Fixing the Public Hearing Date for Annexation 53 – Chestnut Lane.</i>
8.	8:45 p.m.	Ordinance Amending Code of Ordinances <i>Title IX General Regulations, Chapter 93 Public Health and Safety Matters; Public Nuisances, Section 93.04 Abatement of Unsanitary and Unsafe Conditions, Paragraph (D) and (E)</i>	Alex Sewell, Town Manager	Approve ordinance <i>Motion: I make the motion to approve Ordinance Amending the Code of Ordinances for Golf Course Maintenance and Operational Noise, Chp. 93.</i>
9.	8:50 p.m.	District 6 Candidates Introductions	Wyatt Dunn, Mayor	Discussion and Possible Action
10.	9:10 p.m.	Financial/Budget Items A. Financial Report for June/July '19 B. Amended Budget Ordinance 1 - Wedge Court Stormwater Repairs	Marsha Gross, Finance Officer	B. Approve Amended Budget Ordinance 1 <i>Motion: I make the motion to approve Amended Budget Ordinance 1 – Wedge Court Stormwater Repairs</i>
11.	9:25 p.m.	Personnel Policy Change	Karen Williams, HR Director	Approve Personnel Policy Changes <i>Motion: I make the motion to approve the Personnel Policy Changes regarding FMLA.</i>
12.	9:30 p.m.	Police Department Items A. Sell of Used Patrol Vehicle B. Sell of Duty Weapon	Minor Plyler, Interim Police Chief	A. Approve the sell of Stallings used patrol vehicle to Mount Holly. <i>Motion: I make the motion to sell Stallings used patrol vehicle to Mount Holly for \$2000.</i>

				B. Approve the sell of Minor Plyler's Duty Weapon <i>Motion: I make the motion to sell Minor Plyler his duty weapon for \$1.</i>
13.	9:40 p.m.	Assistant Town Clerk Oath of Office	Erinn Nichols, Asst. Town Mgr.	Administer the Oath of Office
14.	9:45 p.m.	Considerations for Changes to Multifamily/ Mixed Use Districts (Paxton)	Lynda Paxton, Council Member	Discussion and Possible Action
15.	9:55 p.m.	Closed Session Pursuant to NCGS 143-318.11(a)(4)	Wyatt Dunn, Mayor	Recess into closed session.
16.	10:15 p.m.	Adjournment	NA	<i>Motion: I make the motion to adjourn.</i>



MEMO

To: Town Council
 From: Lynne Hair, Planning Director
 Date: September 17, 2019
 RE: TX19.08.01 – Requested text amendment to Development Ordinance Article 8.4-6
 Mixed Use Districts (F) (2)

On February 26, 2018, the Town Council adopted the new Stallings Development Ordinance.

Article 8.4-6 (F) (2) defines development standards for the MU-1 and MU-2 districts.

Article (F) (2) General Requirements reads as follows:

(2) In addition to the requirements established by the lot type standards and building type standards, the following minimum dimensional standards shall apply in the Mixed-Use Districts:

Lot Size	Lot Width	Setback from the Main Street	Build-to-Line from any street other than the Main Street	Rear Yard Setback	Side Yard Setback
6,000 SF	60' on Highway, 0' on the Main Street, or 40' on all other streets	21'	16' or as required by buffering standards and/or building type whichever is greater	12' or as required by buffering standards and/or building type whichever is greater	0' or as required by buffering standards and/or building type whichever is greater

These standards establish a minimum lot size of 6,000 square feet for all uses in MU districts unless otherwise established in *Article 9. Building and Lot Type Standards*. In reviewing this article, no minimum lot size is defined for Detached House Lot and Building Type or Attached House Lot and Building Type. The Town Attorney's opinion is that the minimum lot size applies to single family detached which was likely the original intent.

It is the opinion of Staff that the minimum lot size requirement was intended to apply to single family detached housing type only. It is also evident that other standards on the table create confusion. Staff is requesting the following language be added to Article 8.4-6 (F) (2) as follows:

Article (F) (2) General Requirements reads as follows:

(2) In addition to the requirements established by the lot type standards and building type

standards, the following minimum dimensional standards shall apply *to single family detached* in the Mixed-Use Districts:

Use	Lot Size	Lot Width	Front Yard Setback	Rear Yard Setback	Side Yard Setback
Single Family Detached	6,000 SF	40'	16'	12'	5'

PLANNING BOARD RECOMMENDATION: APPROVAL



AN ORDINANCE AMENDING THE “STALLINGS DEVELOPMENT ORDINANCE” OF THE TOWN OF STALLINGS, NORTH CAROLINA

WHEREAS, on February 26, 2018 the Town Council adopted the new Stallings Development Ordinance; and,

WHEREAS, increased clarifying the minimum lot size of 6,000 square feet in the MU-1 and MU-2 Districts applies to single family detached housing lot and building type only; and,

WHEREAS, in order to promote an intentional approach to development by providing an opportunity for better design alternatives in single-family housing it is recommended; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO ORDAIN AMENDING THE STALLINGS DEVELOPMENT ORDINANCE AS FOLLOWS:

ARTICLE 8.4-6 (F) (2) General Requirements reads as follows:

(2) In addition to the requirements established by the lot type standards and building type standards, the following minimum dimensional standards shall apply *to single family detached housing lot and building type* in the Mixed-Use Districts:

Use	Lot Size	Lot Width	Front Yard Setback	Rear Yard Setback	Side Yard Setback
Single Family Detached	6,000 SF	40'	16'	12'	5'

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the ___th day of _____, 2019.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



**PLANNING
& ZONING**
TOWN of STALLINGS

Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.

TEXT AMENDMENT:

TX19.08.01

REQUEST:

To amend Article 8.4-6 of the Stallings Development Ordinance to provide language clarifying that the 6,000 square foot minimum lot size applies to single family detached housing type in the MU-2 district.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed text amendment is consistent with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document of providing for higher density housing in identified mixed-use nodes. At their September 23, 2019 the Stallings Town Council voted to recommend DENIAL of the proposed rezoning and stated that the, Town Council find and determines that the rezoning is consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed _____.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk



MEMO

Agenda Item # 3

To: Town Council
From: Lynne Hair, Planning Director
Date: September 17, 2019
RE: TX19.08.02 – Requested text amendment to Development Ordinance Article 5.4
Conditional Zoning

On February 26, 2018, the Town Council adopted the new Stallings Development Ordinance.

Article 5.4 Conditional Zoning establishes the process for the conditional zoning, the purpose, application requirements, community meeting prerequisites, community meeting and vested rights that apply.

Staff is recommending the following changes to Article 5.4 as follows:

- 1) Application of the Conditional Zoning Process: The current Development Ordinance includes language which requires any conditionally zoned property to meet the minimum standards of the underlying zoning district. The Towns previous ordinance did not include this language and permitted a development to be conditioned and approved by Town Council through the public hearing process. Conditional Zoning is a legislative process and allows jurisdictions to approve site specific developments through this process that may differ from standards by a development ordinance.

To address this issue Staff is recommending the following text amendment:

5.4-2 Conditional zoning districts.

Conditional zoning is available for any of the Primary General Use District classifications enumerated in Article 8 of this Ordinance ~~, except for those that require a site specific development plan as part of the application (e.g., Traditional Development (TNDO) Overlay District, Heavy Industry (HIO) Overlay District)~~ and shall be indicated on all zoning maps and other official documents with the suffix, "(CZ)" (e.g. "C 74(CZ)"; "IND(CZ)").

- 2) Community meetings are a requirement of the conditional zoning process. The current ordinance states that this meeting should be held prior to an application for conditional zoning is submitted and requires that this meeting should be held prior to an application for conditional zoning is submitted and requires that advertisements for this meeting occur. Our previous ordinance had specific requirements for the community meeting report and when it was to be submitted as well as specific advertising requirements for the meetings. Staff would recommend the following language be added to Article 5.4 as follows:

5.4-3 General requirements.

The following provisions shall apply in the administration of conditional zoning:

(A) A conditional zoning application shall be considered only upon request of the owner of the affected property or a duly authorized representative of the property owner demonstrated by written, signed and notarized documentation.

(B) Before a public hearing may be held on a petition for a conditional zoning request, the petitioner must file in the planning office at least ten (10) days prior to the Planning Board meeting a written report of at least one community meeting held by the petitioner. Reasonable notice of such a meeting shall be sent by first class mail by the Development Administrator, or their designee, to all ~~abutting~~ property owners within 500' of the subject parcel(s). ~~Abutting property owners are those owners of all parcels of land abutting the property which is the subject of the petition.~~ The report shall include, among other things, a listing of these persons and organizations contacted about the meeting and the manner and date of contact, the date, time, and location of the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the rezoning petition made by the petitioner as a result of the meeting. The adequacy of a meeting held, or report filed pursuant to this section shall be considered by the Town Council but shall not be subject to judicial review.

Planning Board Recommendation: APPROVAL



AN ORDINANCE AMENDING THE “STALLINGS DEVELOPMENT ORDINANCE”
OF THE TOWN OF STALLINGS, NORTH CAROLINA

WHEREAS, on February 26, 2018 the Town Council adopted the new Stallings Development Ordinance; and,

WHEREAS, Conditional zonings and the process established for their review and approval are consistent with the 2017 Comprehensive Land Use Plans; and,

WHEREAS, no adverse effects to the public safety, health or welfare were identified as a result of the conditional zoning process; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO
ORDAIN AMENDING THE STALLINGS DEVELOPMENT ORDINANCE AS
FOLLOWS:

5.4-2 Conditional zoning districts.

Conditional zoning is available for any of the Primary General Use District classifications enumerated in Article 8 of this Ordinance ~~, except for those that require a site specific development plan as part of the application (e.g., Traditional Development (TND) Overlay District, Heavy Industry (HIO) Overlay District)~~ and shall be indicated on all zoning maps and other official documents with the suffix, "(CZ)" (e.g. "C 74(CZ)"; "IND(CZ)").

5.4-3 General requirements.

The following provisions shall apply in the administration of conditional zoning:

(A) A conditional zoning application shall be considered only upon request of the owner of the affected property or a duly authorized representative of the property owner demonstrated by written, signed and notarized documentation.

~~(B) Before a public hearing may be held on a petition for a conditional zoning request, the petitioner must file in the planning office at least ten (10) days prior to the Planning Board meeting a written report of at least one community meeting held by the petitioner. Reasonable notice of such a meeting shall be sent by first class mail by the Development Administrator, or their designee, to all abutting property owners within 500' of the subject parcel(s). Abutting property owners are those owners of all parcels of land abutting the property which is the subject of the~~

~~petition~~. The report shall include, among other things, a listing of these persons and organizations contacted about the meeting and the manner and date of contact, the date, time, and location of the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the rezoning petition made by the petitioner as a result of the meeting. The adequacy of a meeting held, or report filed pursuant to this section shall be considered by the Town Council but shall not be subject to judicial review.

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2019.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



**PLANNING
& ZONING**
TOWN of STALLINGS

Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.

TEXT AMENDMENT:

TX19.08.02

REQUEST:

To amend Article 5.4 of the Stallings Development Ordinance to provide language requiring a community meeting, and specifies advertising for said meeting, as a part of the conditional zoning process.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed text amendment is consistent with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document of developing objective and rational criteria for subdivision and rezoning requests, and apply when assessing new development. At their September 23, 2019 the Stallings Town Council voted to recommend APPROVAL of the proposed rezoning and stated that the, Town Council find and determines that the rezoning is consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed _____.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk



MEMO

Agenda Item # 4

To: Town Council
From: Lynne Hair, Planning Director
Date: September 10, 2019
RE: TX19.09.01 – Multi Family Housing change from Use-by-Right to CZ in the
TNDO, TC, MU-1 and MU-2 Districts

On February 26, 2018, the Town Council adopted the new Stallings Development Ordinance.

Multi Family was a use-by-right under the TNDO, TC, CIV, MU-1 and MU-2 districts. To give Council the opportunity to consider multifamily projects on a case by case basis, the following is recommended:

1. Multifamily projects require approval of a Conditional Zoning in the TNDO, TC, MU-1 and MU-2 districts.
2. Multifamily be removed from the CIV district, a zoning classification created to provide for educational, medical, and other public uses.
3. Table 8.1 of the Stallings Development Ordinance be amended to reflect multifamily as conditional (C) in TNDO, TC, MU-1 and MU-2.
4. A note be added to Table 8.1 that defines (C) as "Conditional Zoning".

Planning Board Recommendation: Approval

Table 8.1 - Table of Uses L=listed use C=conditional zoning S=use listed with additional standards Section 1 - General Uses of the following:	SIC	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2 & SFR-3)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Highway 485 Corporate Park (CP 485)	Vehicle Service/Repair (VSR)	Industrial (IND)	Heavy Industry Overlay (HIO)
Photography Studio	7221				L	L	L	L	L	L	L			
Physical Fitness Center, Health Club	7991				L	L	L	L	L	L	L			
Police Station					L	L	L	L	L	L	L			
Portable Storage Unit (POD) (as Temporary Use - see Article														
Post Office					L	L	L		L	L	L			
Printing and Publishing Operation	2700				S(10.1-37)	S(10.1-37)	S(10.1-37)		S(10.1-37)	S(10.1-37)	S(10.1-37)		S(10.1-37)	
Printing, Photocopying and Duplicating Services	7334				S(10.1-37)	S(10.1-37)	S(10.1-37)		S(10.1-37)	S(10.1-37)	S(10.1-37)		S(10.1-37)	
Raceway (Go-cart, Motorcycle, &/or Automobile)	7999									S (10.1-20)				
Recorded Media Sales (Record/Compact Disc/Tape)	5735				L	L			L	L	L			
Recreational Vehicle Sales (new and used)	5561									S(10.1-37)		S(10.1-37)		
Religious Institutions (Church, Synagogue, Mosque or Place	8661				S (10.1-11)	S (10.1-11)	S (10.1-11)	S (10.1-11)	S (10.1-11)					
Residential Uses (Dwellings)														
Dwelling, Accessory Unit		S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)	L	S (10.1-3)	S (10.1-3)	S (10.1-3)					
Dwelling, Attached House (incl. term "Townhouse")				L	L	L	L	L	L					
Dwelling, Manufactured Home (see sub-sections 22.5-2 & 10.1-36)														
Dwelling Park, Manufactured Home (see sub-section 22.5-1)														
Dwelling, Multifamily 8 Units or Less				S (10.1-24)	S (10.1-24)	S (10.1-24)	S (10.1-24)	S (10.1-24)	S (10.1-24)					
Dwelling, Multifamily (apartments or condominiums)					CZ (10.1-24)	CZ (10.1-24)		CZ (10.1-24)	CZ (10.1-24)					
Dwelling, Single Family Detached, including Modular Construction		L	L	L	L	L	L	L	L					
Restaurant (w/drive-thru window acc. use - see 10.1-17)	5812				L	L		L	L	L	L			
Retail Sales Not Otherwise Listed					S(10.1-37)	S(10.1-37)			S(10.1-37)	S(10.1-37)				
Retreat Center		L			L	L	L							
Satellite Dish As Accessory Use		L	L	L	L	L	L	L	L	L	L	L	L	L
Sewage Treatment Plant	4952												C (10.2-12)	
School, Elementary or Secondary	8211							S (10.1-28)						
Service Contractors Offices with Fenced Outside Storage													S(10.1-37)	
Service Contractors Offices without Outside Storage										L		L		
Service Station (Automobile Repair Services, Minor)	5541				S (10.1-4)				S (10.1-4)	S (10.1-4)	S (10.1-4)	S (10.1-4)	S (10.1-4)	
Service Station (Automobile Repair Services, Major)	5541									S (10.1-4)		S (10.1-4)	S (10.1-4)	
Shelter for the Homeless RESERVED														
Shoe Repair or Shoeshine Shop	7251				L	L			L	L	L			
Shooting Range, Indoor	7999								C (10.2-13)	C (10.2-13)	C (10.2-13)			
Shooting Range, Outdoor RESERVED														
Shopping Center									S(10.1-37)	S(10.1-37)				
Sign (Accessory Use as permitted by Article 17)		L	L	L	L	L	L	L	L	L	L	L	L	L
Sign fabricating	7312							S(10.1-37)		S(10.1-37)		S(10.1-37)	S(10.1-37)	
Skating Rink	7999									L				
Solid Waste Disposal (non-hazardous)	4953												S(10.1-37)	
Special Events not listed (see Article 15)														
Sporting Goods Store	5941				L	L			S(10.1-37)	S(10.1-37)				



TX19.09.01

AN ORDINANCE AMENDING THE “STALLINGS DEVELOPMENT ORDINANCE”
OF THE TOWN OF STALLINGS, NORTH CAROLINA

WHEREAS, on February 26, 2018 the Town Council adopted the new Stallings Development Ordinance; and,

WHEREAS, requiring multifamily housing to receive approval of a conditional zoning in the TNDO, TC, MU-1 and MU-2 Districts give Town Council the opportunity to ensure goals and desires of the community are met and that proposed projects fit with surrounding land use patterns; and,

WHEREAS, in order to promote an intentional approach to development by providing an opportunity for public comments on multifamily projects it is recommended; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO
ORDAIN AMENDING THE STALLINGS DEVELOPMENT ORDINANCE AS
FOLLOWS:

ARTICLE 8 Table 8.1 be amended to reflect the following:

1. Table 8.1 of the Stallings Development Ordinance be amended to reflect multifamily as CZ in the TNDO, TC, MU-1, and MU-2 Districts,

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2019.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



**PLANNING
& ZONING**
TOWN of STALLINGS

Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.

TEXT AMENDMENT:

TX19.09.01

REQUEST:

To amend Article 8, Table 8.1 to change Multifamily Housing from a use by right (L) to requiring approval of a Conditional Zoning (CZ) in the TNDO, TC, MU-1 and MU-2 districts, and to remove as a permitted use in the CIV district, by amending Table 8.1 of the Stallings Development Ordinance.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed text amendment is consistent with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document for the creation of development that protects existing neighborhoods. At their September 23, 2019 the Stallings Town Council voted to recommend APPROVAL of the proposed text amendment and stated that the, Town Council find and determines that the rezoning is consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed _____.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk



To: Town Council
From: Lynne Hair, Planning Director
Date: September 10, 2019
RE: TX19.09.02 – Method of Procedure for Mailed Notification of Zoning Map Amendments - Article 5.3-3 (B)(2); Public Notification for Conditional Use Permits – Article 7.8-8; Notification Procedure for Vested Rights – Article 7.14-2; and, removal of Article 10.1-24 (7) Multi Family.

On February 26, 2018, the Town Council adopted the new Stallings Development Ordinance.

It has been requested that language requiring property owners within 500' of the subject property be notified of any zoning amendment.

To achieve, the following text amendments will be required:

5.3-3 (B) (2) (a) Method of procedure for mailed notice of Zoning Map Amendments:

(a) In addition to the publication requirements for notices of public hearings required in Section 5.3-3(B)(1), the procedures adopted pursuant to this section provide that whenever there is a zoning map amendment, the owner of that parcel of land as shown on the county tax listing, and the owners of all parcels of land **within 500' feet abutting of** that parcel of land as shown on the county tax listing, shall be mailed a notice of a public hearing on the proposed amendment by first class mail at the last addresses listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the public hearing. Except for a town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the owner of the parcel of land to which the amendment would apply, the applicant shall certify to the Town Council that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of public hearing. The person or persons required to provide notice shall certify to the Town Council that proper notice has been provided in fact, and such certificate shall be deemed conclusive in the absence of fraud.

7.8-8 Public Notification (*as applies to Conditional Use Permit application*)

Notice of public hearings or public meetings required under this section for conditional use approvals shall be provided in accordance with the requirements established by the North Carolina General Statutes for public hearing notification. **The owner of the subject parcel of land as shown on the county tax listing, and the owners of all parcels of land within 500' feet abutting of that parcel of land as shown on the county tax listing, shall be mailed a notice of a public hearing on the proposed amendment by first class mail at the last addresses listed for such owners on**

the county tax abstracts. In addition, the *Development Administrator* shall prepare a public notice as described herein below which indicates the official receipt of an application and *Site Development Plan* for a conditional use *zoning permit* approval. This will serve to encourage public involvement in development projects in Stallings. The notice shall be posted in a conspicuous place at Town Hall, on the Town's website, or a combination of these two, at least **five-ten** days prior to the date on which the application is to be considered. This notice for publication shall include the following.

- (A.) Brief description of the conditional use project proposed;
- (B.) The time, date, and place at which the request will be considered; and
- (C.) Contact information for staff receiving comments concerning the proposed conditional use.

7.14-2 Notice Procedures *(as applies to vested rights)*

The following guidelines detail the notification procedure to be followed for public hearings required by this Article unless otherwise set forth in this Article. Failure to follow procedures set forth in this section, other than those required by the North Carolina General Statutes, shall not affect the validity of any action taken at a public hearing or public meeting. (N.C.G.S. 160A-364, 384, and 385)

(A.) Published notice. Notice for public hearings required by this Article shall be published in a newspaper of general circulation within the Town of Stallings.

(B.) Mailed notice. First class mailed notice for public meetings or public hearings required by this Article shall be provided to owners shown on the county tax listings.

The owner of the subject parcel of land as shown on the county tax listing, and the owners of all parcels of land within 500' feet abutting of that parcel of land as shown on the county tax listing, shall be mailed a notice of a public hearing on the proposed amendment by first class mail at the last addresses listed for such owners on the county tax abstracts.

(C.) Posted notice. A sign (or signs) providing information concerning a public hearing or public meeting required by this Article will be posted on property which is the subject of said hearing/meeting. The sign(s) shall be prominently placed on the subject parcel or on an adjacent public street or highway right-of-way. When multiple parcels are involved, a posting on each individual parcel is not required, but the Town shall post sufficient notices to provide reasonable notice to interested persons.

10.1-24 Multi Family

~~(7.) Notification of public meetings at which multi-family developments will be Stallings Development Ordinance – Article 10 – Page 13 considered shall be provided to owners of all properties located within 250 feet of the property for which the development is proposed.~~

Planning Board Recommendation: Approval



TX19.09.02

AN ORDINANCE AMENDING THE “STALLINGS DEVELOPMENT ORDINANCE”
OF THE TOWN OF STALLINGS, NORTH CAROLINA

WHEREAS, on February 26, 2018 the Town Council adopted the new Stallings Development Ordinance; and,

WHEREAS, increasing the distance for mail notification from adjacent property owners to all property owners within 500, ensures awareness of zoning map amendments, conditional use permits and vested rights hearing; and,

WHEREAS, in order to promote an intentional approach to development by providing an opportunity for public comments on all these issues; and,

THEREFORE, THE TOWN COUNCIL OF THE TOWN OF STALLINGS DO
ORDAIN AMENDING THE STALLINGS DEVELOPMENT ORDINANCE AS
FOLLOWS:

5.3-3 (B) (2) (a) Method of procedure for mailed notice of Zoning Map Amendments:

(a) In addition to the publication requirements for notices of public hearings required in Section 5.3-3(B)(1), the procedures adopted pursuant to this section provide that whenever there is a zoning map amendment, the owner of that parcel of land as shown on the county tax listing, and the owners of all parcels of land **within 500' feet abutting** of that parcel of land as shown on the county tax listing, shall be mailed a notice of a public hearing on the proposed amendment by first class mail at the last addresses listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the public hearing. Except for a town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the owner of the parcel of land to which the amendment would apply, the applicant shall certify to the Town Council that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of public hearing. The person or persons required to provide notice shall certify to the Town Council that proper notice has been provided in fact, and such certificate shall be deemed conclusive in the absence of fraud.

7.8-8 Public Notification (*as applies to Conditional Use Permit application*)

Notice of public hearings or public meetings required under this section for conditional use approvals shall be provided in accordance with the requirements established by the North Carolina General Statutes for public hearing notification. **The owner of the subject parcel of land as shown on the county tax listing, and the owners of all parcels of land within 500' feet abutting of that parcel of land as**

shown on the county tax listing, shall be mailed a notice of a public hearing on the proposed amendment by first class mail at the last addresses listed for such owners on the county tax abstracts. In addition, the *Development Administrator* shall prepare a public notice as described herein below which indicates the official receipt of an application and *Site Development Plan* for a conditional use zoning permit approval. This will serve to encourage public involvement in development projects in Stallings. The notice shall be posted in a conspicuous place at Town Hall, on the Town's website, or a combination of these two, at least **five-ten** days prior to the date on which the application is to be considered. This notice for publication shall include the following.

- (A.) Brief description of the conditional use project proposed;
- (B.) The time, date, and place at which the request will be considered; and
- (C.) Contact information for staff receiving comments concerning the proposed conditional use.

7.14-2 Notice Procedures (*as applies to vested rights*)

The following guidelines detail the notification procedure to be followed for public hearings required by this Article unless otherwise set forth in this Article. Failure to follow procedures set forth in this section, other than those required by the North Carolina General Statutes, shall not affect the validity of any action taken at a public hearing or public meeting. (N.C.G.S. 160A-364, 384, and 385)

(A.) Published notice. Notice for public hearings required by this Article shall be published in a newspaper of general circulation within the Town of Stallings.

(B.) Mailed notice. First class mailed notice for public meetings or public hearings required by this Article shall be provided to owners shown on the county tax listings.

The owner of the subject parcel of land as shown on the county tax listing, and the owners of all parcels of land within 500' feet abutting of that parcel of land as shown on the county tax listing, shall be mailed a notice of a public hearing on the proposed amendment by first class mail at the last addresses listed for such owners on the county tax abstracts.

(C.) Posted notice. A sign (or signs) providing information concerning a public hearing or public meeting required by this Article will be posted on property which is the subject of said hearing/meeting. The sign(s) shall be prominently placed on the subject parcel or on an adjacent public street or highway right-of-way. When multiple parcels are involved, a posting on each individual parcel is not required, but the Town shall post sufficient notices to provide reasonable notice to interested persons.

10.1-24 Multi Family

~~(7.) Notification of public meetings at which multi-family developments will be Stallings Development Ordinance – Article 10 – Page 13 considered shall be provided to owners of all properties located within 250 feet of the property for which the development is proposed.~~

This ordinance shall be effective immediately upon its adoption.

ADOPTED this the _th day of _____, 2019.

Wyatt Dunn
Mayor

Erinn Nichols
Town Clerk



**PLANNING
& ZONING**
TOWN of STALLINGS

Statement of Consistency and Reasonableness

(As per NC General Statute 160-383)

Prior to adopting or rejecting any zoning amendment, the governing body shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action taken to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing body that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing body.

TEXT AMENDMENT:

TX19.09.02

REQUEST:

To amend 5.3-3 (B) (2) (a) Method of procedure for mailed notice of Zoning Map Amendments; 7.8-8 Public Notification (*as applies to Conditional Use Permit application*); 7.14-2 Notice Procedures (*as applies to vested rights*); 10.1-24 Multi Family (removing notice requirements); of the Stallings Development Ordinance.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

The Stallings Town Council hereby finds that the proposed text amendment is consistent with the 2017 Stallings Comprehensive Land Use Plan adopted November 27, 2017 based on consistency with goals and objectives set forth in the document for community involvement and the protection of existing neighborhoods. At their September 23, 2019 the Stallings Town Council voted to recommend APPROVAL of the proposed text amendment and stated that the, Town Council find and determines that the rezoning is consistent with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan and hereby recommends its approval.

The statement and motion was seconded and passed _____.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk



To: Town Council
From: Lynne Hair, Planning Director
Date: September 3, 2019
RE: TX19.07.01 – Article Requested text amendment to Development Ordinance Article 9.8-2 (B)(2)

At the August 26, 2019 Town Council meeting, Atrium Health made several text amendment request. One item dealing with the location of the drive aisle for fast food restaurants was tabled and reads as follows:

Article 9.8-2 (B)(2)

Gasoline and fuel pumps shall be located to the rear of the building. Drive-through windows and other auto-oriented service facilities shall be located to the rear or side of the building. Notwithstanding the foregoing, drive aisles for circulation purposes (but not parking) may be located between the building and the adjacent public or private streets. Menu board(s), speaker boxes and/or windows associated with drive-through facilities may not be located on the façade of a building that faces an adjacent public street.

If Town Council chooses to deny the request, any drive thru window that varies from ordinance requirements would be required to come before the Town in the form of a variance that can be weighed on individual merits.



Resolution Fixing Date of Public Hearing
on Question of Annexation
Pursuant to N.C.G.S. 160A-31

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town of Stallings has by adopted a resolution directing the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Stallings that:

Section 1. The area proposed for voluntary annexation encompasses parcel number 07147135 on Chestnut Lane and is described as follows:

Parcel number: 07147135; 13.82 ACRES

BEGINNING at a point in the centerline of Chestnut Lane; thence with a bearing of N 67°48'44" E and a distance of 100.00' to a point in Chestnut Lane; thence with a bearing of N 52°45'14" E and a distance of 572.27' to a point in the centerline of Chestnut Lane, being the common corner of the property of East West Invest LLC (now or formerly) recorded in Deed Book 6913, Page 861; thence following the common line thereof three calls: (1) with a bearing of S 27°45'51" E and a distance of 202.52' (passing a set rebar at 31.31') to an existing pipe; (2) with a bearing of N 56°04'05" E and a distance of 99.30' to a set rebar; (3) with a bearing of N 57°23'05" E and a distance of 189.97' (passing a set rebar at 139.97') to a point on the eastern side of West Fork Twelvemile Creek; thence along said creek four (4) calls: (1) with a bearing of S 09°59'35" W and a distance of 91.30' to a point; (2) with a bearing of S 16°50'55" E and a distance of 103.49' to a point; (3) with a bearing of S 00°49'55" E and a distance of 67.80' to a point; (4) with a bearing of S 14°25'55" E and a distance of 83.00' to an existing tree stump; thence with a bearing of S 48°06'35" W and a distance of 1396.55' to a set rebar, being the common corner of the property of Linden & Elizabeth Skeens (now or formerly) recorded in Deed Book 6706, Page 110; thence following the common lines of Linden & Elizabeth Skeens (now or formerly) and the property of Francis & Joann Zeidler (now or formerly) recorded in Deed Book 420, Page 16 with a bearing of N 07°28'14" E and a distance of 914.64' (passing an existing rebar at 454.19' and an existing rebar at 874.54') to a point in the centerline of Chestnut Lane; being the point of **BEGINNING**, having an area of 13.820 acres, more or less, as shown on a survey by Carolina Surveyors, Inc.

Section 2. A public hearing on the question of annexation will be held at the Town Hall at 7:00 p.m. on Monday, October 14, 2019.

Section 3. Notice of the public hearing shall be published in the Monroe Enquirer-Journal, a newspaper having general circulation in the Town of Stallings at least 10 days prior to the date of the public hearing.

Adopted this the 23rd day of September, 2019.

Wyatt Dunn, Mayor

Attest:

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC



Ordinance Amending Code of Ordinances, Title IX General Regulations, Chapter 93 Public Health and Safety Matters; Public Nuisances, Section 93.04 Abatement of Unsanitary and Unsafe Conditions, Paragraph (D) and (E)

WHEREAS, the Stallings Town Council of the Town of Stallings wishes to allow golf courses to maintain and operate its course(s) prior to 7:00 a.m. for the financial well-being of the course(s);

NOW, THEREFORE, BE IT ORDAINED that the Town Council of the Town of Stallings, North Carolina does hereby amend the Code of Ordinances, Title IX General Regulations, Chapter 93 Public Health and Safety Matters; Public Nuisances, Section 93.04 Sounds Impacting Residential Life., to the following:

As reads:

93.04 Abatement of Unsanitary and Unsafe Conditions, (D) and (E)

- (D) The operation of lawn mowers and other domestic tools out-of-doors between the hours of 9:00 p.m. and 7:00 a.m.; and
- (E) Amplified sound as defined in § 93.05 occurring between the hours of 9:00 p.m. and 7:00 a.m. If a permit is acquired as per § 93.05, these hours may be extended to 11:00 p.m.

Change to read:

93.04 Abatement of Unsanitary and Unsafe Conditions, (D), (E), and (F)

- (D) The operation of lawn mowers and other domestic tools out-of-doors between the hours of 9:00 p.m. and 7:00 a.m.; ~~and~~
- (E) **The operation of golf course maintenance and operations equipment by golf courses with at least 18 non-miniature golf holes between the hours of 9:00 p.m. and 5:30 a.m.;**
and
- (F) Amplified sound as defined in § 93.05 occurring between the hours of 9:00 p.m. and 7:00 a.m. If a permit is acquired as per § 93.05, these hours may be extended to 11:00 p.m.

Adopted this the 23rd day of September, 2019.

Wyatt Dunn, Mayor

Attest:

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

In researching old files and talking to previous code enforcement officers for Stallings there have been no previous noise complaints for either golf course.

Emerald Lake Golf Club

DATE OF INITIAL COMPLAINT	COMPLAINT	
July 30, 2019	Noise from FANS and LAWNMOWERS	Only one resident has complained

The Divide

DATE OF INITIAL COMPLAINT	COMPLAINT	
July 25, 2019	Noise from LAWNMOWERS	At this time five residents have complained about noise from lawn equipment.

Financial Update



Fiscal Year 2019-2020

(Unaudited)

6/30/2019

FY2018-2019

General Fund – Revenues



Summary Report - 6/30/2019 Actual vs Budget

	Budget including amendments 2018-2019	YTD Actual 6/30/2019	Over/(Under) Budget		% of Budget Spent thru 6/30/2019
GENERAL FUND - Revenue					
Ad Valorem Tax	3,512,000	3,615,911	\$ 103,911	Actual greater than estimated for FY2019	103.0%
Sales and Use Tax	1,200,000	1,259,345	\$ 59,345		104.9%
Gross Vehicle Rental	44,400	23,004	\$ (21,396)	Will Adjust FY2021 Estimate	51.8%
Motor Vehicle	395,000	408,111	\$ 13,111		103.3%
Powell Bill	400,000	399,455	\$ (545)	All Distributions for FY2019 have been collected	99.9%
Beer/Wine	70,000	69,574	\$ (426)		99.4%
Franchise & Utility Tax	810,000	832,275	\$ 22,275	Quarterly Distributions received	102.7%
Investment/Interest	67,800	172,197	\$ 104,397	Lower than anticipated due to unknown costs for new buildings	254.0%
PD Related	3,000	8,824	\$ 5,824	Collections for DOJ funds and Insurance Proceeds were not budgeted	294.1%
TIA Fees	87,700	113,200	\$ 25,500	Related to new TIA fees charged to potential land development - related expense of \$86,771 offsets this income	129.1%
Planning & Zoning Related	166,500	184,529	\$ 18,029	Includes development agreement fees which have exceeded budgeted amount	110.8%
Park & Rec Related	15,800	11,710	\$ (4,090)	Fees for rentals and Stallingsfest below budget due to splash pad repairs	74.1%
Miscellaneous	46,000	18,409	\$ (27,591)	Budget includes \$30K in contributions that have not materialized	40.0%
GENERAL FUND - Revenue Total	\$ 6,818,200	\$ 7,116,545	\$ 298,345	Majority of Ad Valorem tax and Powell bill has been collected but sales and use and other quarterly payments will continue to be received	104.4%
Fund Balance Appropriation - GF Expenditures	456,000	456,000		- Added to Departmental Budgets	
Fund Balance Appropriation - Potter Rd/Pleas Pl	1,500,000	68,389	(1,431,611)	Amount transferred to Potter Rd Pleasant Plains fund to date	
Fund Balance Appropriation - NTH & PW Bldgs	523,600	96,907	(426,693)	Amount transferred to New Town Hall and Public Works Buildings fund to date	
Proceeds from LT Debt	2,918,000	2,918,000		- Loan proceeds received from Bank	
Fund Balance Approp. - Drug Forfeiture Fund	100,000	103,511	3,511	Amount transferred from Restricted Fund Balance for Drug Forfeiture Funds	
Total General Fund Revenue w/appropriations	\$ 12,315,800	\$ 10,759,351	\$ (1,556,449)		

FY2018-2019

Actual vs Budget - Expenditures



Summary Report - 6/30/2019 Actual vs Budget

	Budget including amendments 2018-2019	YTD Actual 6/30/2019	Under/(Over) Budget		% of Budget Spent thru 6/30/2019
General Government	\$ 1,294,000	\$ 1,175,980	\$ 118,020	90.9% of Total Budget used through 6/30/2019	
Wages and Fringe Benefits	\$ 599,760	\$ 548,653	\$ 51,107	Underspending attributed to vacancy in Communications position	91.5%
Inventory and Equipment / Repairs/Supplies	\$ 53,800	\$ 40,082	\$ 13,718	Savings in inventory & equipment (\$5K), office/general supplies (\$8K)	74.5%
Outside Services	\$ 221,440	\$ 223,878	\$ (2,438)	Includes legal, accounting, IT/ network services - slightly above budget due to legal services needed this fiscal year	101.1%
Other	\$ 179,000	\$ 128,687	\$ 50,313	Underspending in Training (\$19.3K), Travel (\$6.7K), Utilities (\$14), Advertising (\$4.7K) and Postage (\$5.4K) creating savings for the year.	71.9%
Management Contingency	\$ 20,000	\$ 16,464	\$ 3,537	Town Manager Budget Contingency used for wage and classification study	82.3%
Capital Outlay	\$ 220,000	\$ 218,216	\$ 1,784	Purchase of 329 Stallings Road Property	100.0%
Public Safety	\$ 2,434,000	\$ 2,389,096	\$ 44,904	98.2% of Total Budget used through 6/30/2019	
Wages and Fringe Benefits	\$ 1,936,530	\$ 1,867,113	\$ 69,417	Payroll Wages and related taxes and Separation allowance for chief represent these savings.	96.4%
Inventory and Equipment / Repairs/Supplies	\$ 76,150	\$ 130,682	\$ (54,532)	Police radios in June 2019 used savings from other PD expenditures to purchase in FY2019. Overall budget still had a net savings of \$45.8K.	171.6%
Outside Services	\$ 27,500	\$ 22,706	\$ 4,794	Savings in outside crime lab services and outside services line items	82.6%
Other	\$ 194,320	\$ 178,469	\$ 15,851	Dept of Treasury & Dept of Justice spend savings compared to buget of \$9K with additional savings in Insurance (\$1.7K), K-9 Expenses (\$1.8K), Travel (\$2K), and Telephone (\$1.6K)	91.8%
Vehicle Expenses (Maintenance & Fuel)	\$ 99,500	\$ 90,639	\$ 8,861	Fuel expense savings	91.1%
Capital Outlay (includes vehicle purchases)	\$ 100,000	\$ 99,488	\$ 512	FY19 budgeted Vehicle purchases	99.5%

FY2018-2019

Actual vs Budget - Expenditures

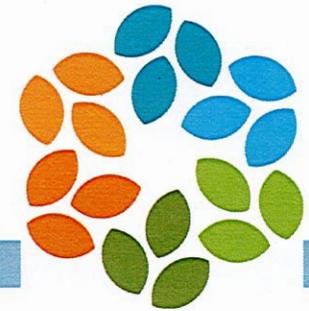


Summary Report - 6/30/2019 Actual vs Budget

	Budget including amendments 2018-2019	YTD Actual 6/30/2019	Under/(Over) Budget		% of Budget Spent thru 6/30/2019
Transportation	\$ 1,035,300	\$ 729,619	\$ 305,681	70.5% of Total Budget used through 6/30/2019	
Wages and Fringe Benefits	\$ 99,250	\$ 87,004	\$ 12,246	Tracking below budgetd due to vacancy in associate engineer position which was filled in May	87.7%
Inventory and Equipment / Repairs/Supplies	\$ 9,100	\$ 1,508	\$ 7,592	Below budgeted spending YTD, very few repair or supply costs to date	16.6%
Outside Services	\$ 100,600	\$ 102,282	\$ (1,682)	Represents TIA Fees for Developers - \$87,700 collected to date	101.7%
Other	\$ 12,850	\$ 3,978	\$ 8,872	Tracking below budgeted spending YTD	31.0%
Utilities	\$ 110,000	\$ 100,979	\$ 9,021	Tracking below budgeted spending YTD	91.8%
Paving/Sidewalks/Signage	\$ 136,000	\$ 109,939	\$ 26,061	Sidewalk Work for Chestnut	80.8%
Capital Outlay	\$ 167,500	\$ -	\$ 167,500	Budgeted for Transportation commitments by council - no expenses to date	0.0%
Powell Bill	\$ 400,000	\$ 323,930	\$ 76,070	Road Repair bid was awarded and completed. Contingency amount not used.	81.0%
Public Works	\$ 377,800	\$ 323,043	\$ 54,757	85.5% of Total Budget used through 6/30/2019	
Wages and Fringe Benefits	\$ 169,660	\$ 162,555	\$ 7,105	Savings in Maintenance Tech position new hire	95.8%
Inventory and Equipment / Repairs	\$ 54,750	\$ 55,468	\$ (718)	Included one time costs for ramps for trailer and cost for glass in door, hot water heater replacement, backflow preventers on sprinkler system, light pole repairs in parking lot, lift for fountain pump & elevator repairs.	101.3%
Outside Services	\$ 40,000	\$ 40,180	\$ (180)	FY19 expenses on target with budget	100.5%
Other	\$ 6,980	\$ 5,547	\$ 1,433	Represents savings on Training line item	79.5%
Capital Outlay	\$ 106,410	\$ 59,293	\$ 47,117	Savings on HVAC System replacements. Purchased HVAC control system for Town Hall and LED Light Fixtures (\$28.5K).	55.7%

FY2018-2019

Actual vs Budget - Expenditures



Summary Report - 6/30/2019 Actual vs Budget

	Budget including amendments 2018-2019	YTD Actual 6/30/2019	Under/(Over) Budget		% of Budget Spent thru 6/30/2019
Planning & Zoning	\$ 466,900	\$ 405,282	\$ 61,618	86.6% of Total Budget used through 6/30/2019	
Wages and Fringe Benefits	\$ 238,330	\$ 221,109	\$ 17,221	Savings for vacancy in Tech position	92.8%
Inventory and Equipment / Repairs	\$ 14,650	\$ 10,946	\$ 3,704	Computer and Supplies represent the FY savings	74.7%
Outside Services	\$ 164,900	\$ 155,696	\$ 9,204	Represents work on master plans for greenway and downtown areas. Amended budget in May for development agreements which have offsetting revenue.	94.4%
Other	\$ 19,020	\$ 12,024	\$ 6,996	Savings in Training, Meetings & Events and Travel for the year	63.2%
Nuisance Abatement	\$ 5,000	\$ -	\$ 5,000	Experienced no abatement expenditures for the year	0.0%
Town Beautification	\$ 25,000	\$ 5,508	\$ 19,492	Funds not fully utilized - purchased utility screen this year	22.0%
Parks and Recreation	\$ 802,800	\$ 595,712	\$ 207,088	74.2% of Total Budget used through 6/30/2019	
Wages and Fringe Benefits	\$ 208,600	\$ 196,755	\$ 11,845	Savings in wages and related due to Program Coordinator position	94.3%
Inventory and Equipment / Repairs	\$ 143,300	\$ 53,019	\$ 90,281	Expenditures related to the Fountain and other park equipment are expected to be completed in FY2020.	37.0%
Buildings and Grounds and Utilities	\$ 75,000	\$ 47,671	\$ 27,329	Utility savings (\$12K) and Building and grounds (\$15K)	63.6%
Outside Services	\$ 169,000	\$ 120,057	\$ 48,943	Represents Greenway services which will push in FY2020	71.0%
Other	\$ 18,400	\$ 11,223	\$ 7,177	Contingency (\$5K) and property insurance (\$3.5K) lines not used (\$5K)	61.0%
Events and Advertising	\$ 94,500	\$ 72,986	\$ 21,514	Savings in events held as well as programming expenses (no space this FY)	77.2%
Capital Outlay	\$ 94,000	\$ 94,000	\$ -	Capital purchase of shades for Stallings Municipal Park	100.0%

FY2018-2019

Actual vs Budget - Expenditures



Summary Report - 6/30/2019 Actual vs Budget

	Budget including amendments 2018-2019	YTD Actual 6/30/2019	Under/(Over) Budget		% of Budget Spent thru 6/30/2019
Sanitation	\$ 900,900	\$ 885,833	\$ 15,067	98.3% of Total Budget used through 6/30/2019	
Total Dept Expenditures - General Fund	\$ 7,311,700	\$ 6,504,565	\$ 807,135	Total all Departments - savings in expenditures for FY2020	89.0%
Capital Project Fund Expenditures	\$ 1,500,000	\$ 68,389	\$ 1,431,611	Potter Road Pleasant Plains - Received ROW certifications from NCDOT and submitted invoice for ROW expenses to be reimbursed during FY2019. Funds recieved in July and will be reflected in the FY2020 numbers. Inception to date cost of project is \$1.7M.	
Capital Project Fund Expenditures	\$ 3,441,600	\$ 873,384	\$ 2,568,216	New Town Hall and Public Works Buildings Capital Project Fund will carry into FY2020 with approximately 26% of the project complete at 6/30/2019	
Contingency	\$ 11,500	\$ -	\$ 11,500	Not expected to use this fiscal year	
Total GENERAL FUND	\$ 12,264,800	\$ 7,446,338	\$ 4,818,462	Total General Fund (including Capital Projects and Contingency)	60.7%

FY2018-2019

Actual vs Budget – Storm Water



STORM WATER FUND					
Revenue Total	\$ 500,500	\$ 474,935	\$ 25,565	Includes Taxes and Investment Income	94.9%
Expenditure Total	\$ 500,500	\$ 341,936	\$ 158,564	Savings to Storm Water Fund Balance	68.3%
Wages and Fringe Benefits	\$ 99,000	\$ 84,899	\$ 14,101	Tracking below budgetd due to vacancy in associate engineer position which was f	85.8%
Repairs/Outside Services	\$ 399,300	\$ 248,746	\$ 150,554	Storm water projects completed om FY2019: Four Wood Dr., Vickie Lane, Gold Crest Dr., Cedar Point, Redwood Dr., Heison Ct., Daylily Rd., Lakewood Dr., Ceicester Dr., Aurora Blvd., Strawberry Ln., Kilarney Ct., Millbank Dr., Millwright Ln., Water Wheel Ct., Caernarfon Ln., Vickie Lane, Coatdale Dr., Freesia Place, Hunley Ridge Rd., Lakewood Dr. and Stallings Park	62.3%
Other	\$ 2,200	\$ 8,290	\$ (6,090)	Tax Collection fees from county charged to SW account that were not budgeted	376.8%

FY2018-2019 Fund Balance



	7/1/2018 Balance*	Change in Balance	6/30/2019 Balance
Unassigned Fund Balance	\$ 3,355,658	\$ 277,372	\$ 3,633,030
Stabilization by State Statute	601,599	-	\$ 601,599
Powell Bill	153,094	75,526	\$ 228,620
Drug Forfeiture	126,493	(100,948)	\$ 25,545
Capital Project Commitment - Chestnut Lane Roundabout	350,000	-	\$ 350,000
Fees in Lieu of Park Land	330,043	44,431	\$ 374,474
Capital Expenditures - Potter Rd Pleasant Plains	1,550,000	(68,389)	\$ 1,481,611
Capital Expenditures - New Town Hall & Public Works Buildings		2,568,216	\$ 2,568,216
30 Percent Reserve	2,478,150	-	\$ 2,478,150
Total Fund Balance - General Fund	\$ 8,945,037	\$ 2,796,207	\$ 11,741,244
Fund Balance - Storm Water	\$ 1,256,533	\$ (75,001)	\$ 1,181,532

- Overall General Fund Balance increase is due to proceeds from debt into the Capital Project Fund for NTH and PW buildings
- Unassigned Fund Balance change - \$592,972 Revenue over Expenses less amount assigned to Capital project fund of \$315,600
- Powell Bill fund changes are Powell Bill Revenue less expenditures
- Drug Forfeiture represents Federal funds received less expenditures
- Storm Water Fund balance collections are more than expenditures less transfer to NTH & PW Buildings Capital Project Fund of \$208,000

Financial Update



Fiscal Year 2019-2020
7/31/2019

FY2019-2020

General Fund – Revenues



Summary Report - 7/31/2019 Actual vs Budget

	Budget including amendments 2019-2020	YTD Actual 7/31/2019	Budget Remaining to YE		% of Budget Spent thru 7/31/2019
GENERAL FUND - Revenue					
Ad Valorem Tax	3,637,500	237	\$ 3,637,263	Taxes received from the county in arrears - July Collections deposited in August	0.0%
Sales and Use Tax	1,260,000	-	\$ 1,260,000	Taxes received from the county in arrears - July Collections deposited in August	0.0%
Gross Vehicle Rental	38,000	-	\$ 38,000	Taxes received from the county in arrears - July Collections deposited in August	0.0%
Motor Vehicle	395,000	-	\$ 395,000	Taxes received from the county in arrears - July Collections deposited in August	0.0%
Powell Bill	400,000	-	\$ 400,000	Distributions for FY2020 have not been collected	0.0%
Beer/Wine	70,000	-	\$ 70,000	Distributions for FY2020 have not been collected	0.0%
Franchise & Utility Tax	810,000	-	\$ 810,000	Distributions for FY2020 have not been collected	0.0%
Investment/Interest	111,000	15,895	\$ 95,105	Expect to exceed budget with collection of NCDOT funds from Potter/Pleasant Plains	14.3%
PD Related	3,000	361	\$ 2,639	Tracking to budget	12.0%
TIA Fees	-	63,100	\$ (63,100)	Related to new TIA fees charged to potential land development - related expense of \$26,509 offsets this income	
Planning & Zoning Related	76,000	1,230	\$ 74,770	Tracking to budget	1.6%
Park & Rec Related	15,800	375	\$ 15,425	Fees for rentals and Stallingsfest - tracking to budget	2.4%
Miscellaneous	13,700	870	\$ 12,830	Tracking to budget	6.4%
GENERAL FUND - Revenue Total	\$ 6,830,000	\$ 82,069	\$ 6,747,931	Expect increase in August and September with 2020 tax collections	1.2%
Fund Balance Appropriation - GF	1,991,800	22,248	1,969,553	Amount represent capital expenditures budgeted through Fund Balance appropriations	
Fund Balance Approp. - Drug Forfeiture Fund	25,000	-	25,000	Amount represents spend of Restricted Fund Balance for Drug Forfeiture Funds	
Total General Fund Revenue w/appropriations	\$ 8,846,800	\$ 104,316	\$ 8,742,484		

FY2019-2020

Actual vs Budget - Expenditures



Summary Report - 7/31/2019 Actual vs Budget

	Budget including amendments 2019-2020	YTD Actual 7/31/2019	Budget Remaining to YE		% of Budget Spent thru 7/31/2019
General Government	\$ 1,130,500	\$ 113,982	\$ 1,016,518	10.1% of Total Budget used through 7/31/2019	
Wages and Fringe Benefits	\$ 568,470	\$ 26,043	\$ 542,427	Below budgeted spending, accrual of first payroll in July for June expense	4.6%
Inventory and Equipment / Repairs/Supplies	\$ 44,900	\$ 2,347	\$ 42,553	Below budgeted spending YTD, very few repair costs to date	5.2%
Outside Services	\$ 261,300	\$ 37,114	\$ 224,186	Includes legal, accounting, IT/ network services, above below budget with accounting and legal making up most of this variance	14.2%
Other	\$ 215,830	\$ 45,938	\$ 169,892	Insurances and dues (YTD \$39.2) are renewed at the beginning of fiscal year. These costs account for 85% of the YTD total.	21.3%
Management Contingency	\$ 20,000	\$ 2,540	\$ 17,460	Carry-over from FY2019 - Wage and Classification Study Final Payment	12.7%
Capital Outlay	\$ 20,000	\$ -	\$ 20,000	Budgeted for Town Hall Entry Doors and Key Fob Entry System	100.0%
Public Safety	\$ 2,563,100	\$ 166,660	\$ 2,396,440	6.5% of Total Budget used through 7/31/2019	
Wages and Fringe Benefits	\$ 2,153,610	\$ 115,065	\$ 2,038,545	Below budgeted spending, accrual of first payroll in July for June expense	5.3%
Inventory and Equipment / Repairs/Supplies	\$ 85,150	\$ 3,321	\$ 81,829	Below budgeted spending YTD, few repair costs to date	3.9%
Outside Services	\$ 35,120	\$ 5,253	\$ 29,867	Annual Retainer paid to PD attorney represents majority of expenditure	15.0%
Other	\$ 82,720	\$ 34,189	\$ 48,531	Insurance Expense represents \$28K of total spend which renews 7/1/2019 remaining amount relates to meeting and events and new hire costs.	41.3%
Vehicle Expenses (Maintenance & Fuel)	\$ 91,500	\$ 8,831	\$ 82,669	Tracking at budgeted spend YTD	9.7%
Capital Outlay (includes vehicle purchases)	\$ 115,000	\$ -	\$ 115,000	Vehicles not purchased for the year as of 7/31/2019, delivery date in October.	0.0%

FY2019-2020

Actual vs Budget - Expenditures



Summary Report - 7/31/2019 Actual vs Budget

	Budget including			Budget Remaining to YE		% of Budget Spent thru 7/31/2019
	amendments 2019-2020	YTD Actual 7/31/2019				
Transportation	\$ 734,100	\$ 45,316	\$ 688,784		6.2% of Total Budget used through 7/31/2019	
Wages and Fringe Benefits	\$ 105,925	\$ 4,999	\$ 100,926		Below budgeted spending, accrual of first payroll in July for June expense	4.7%
Inventory and Equipment / Repairs/Supplies	\$ 2,150	\$ 65	\$ 2,085		Below budgeted spending YTD, very few repair or supply costs to date	3.0%
Outside Services	\$ 90,900	\$ 26,509	\$ 64,391		TIA Fees for Developers - YTD \$63,100 collected and paid out \$26,509 for Atrium TIA (net effect is no cost to the Town)	29.2%
Other	\$ 13,625	\$ 2,691	\$ 10,934		Dues and memberships are paid at the beginning of FY explaining these costs	19.8%
Utilities	\$ 111,500	\$ 8,402	\$ 103,098		Tracking budgeted spending YTD	7.5%
Paving/Sidewalks/Signage	\$ 10,000	\$ -	\$ 10,000		No repair/sidewalk completed at this point in time	0.0%
Capital Outlay	\$ -	\$ -	\$ -		No Capital Outlays are budgeted for Transportation at this time	0.0%
Powell Bill	\$ 400,000	\$ 2,650	\$ 397,350		Road repair work advertised on Sept. 6th with bid opening scheduled for Sept. 27th	0.7%
Public Works	\$ 340,100	\$ 67,249	\$ 272,851		19.8% of Total Budget used through 7/31/2019	
Wages and Fringe Benefits	\$ 174,560	\$ 12,404	\$ 162,156		Below budgeted spending, accrual of first payroll in July for June expense	7.1%
Inventory and Equipment / Repairs/Supplies	\$ 81,000	\$ 17,926	\$ 63,074		Represents purchase of equipment which includes: new mower (\$7K), equipment trailer (\$3.2K), truck upfits (\$2.6K), fire control system repair (\$3K) hit by lightning	22.1%
Outside Services	\$ 24,400	\$ 6,909	\$ 17,491		Annual inspections for Elevator, sprinklers, etc. all due at beginning of FY	28.3%
Other	\$ 20,140	\$ 1,254	\$ 18,886		Tracking below budgeted spending YTD	6.2%
Capital Outlay	\$ 40,000	\$ 28,755	\$ 11,245		Represents replacement of Town Hall lighting fixtures to LED. Rebate from Duke Energy will be collected in August of \$4,405	71.9%

FY2019-2020

Actual vs Budget - Expenditures



Summary Report - 7/31/2019 Actual vs Budget

	Budget including amendments 2019-2020	YTD Actual 7/31/2019	Budget Remaining to YE		% of Budget Spent thru 7/31/2019
Planning & Zoning	\$ 359,600	\$ 20,480	\$ 339,120	5.7% of Total Budget used through 7/31/2019	
Wages and Fringe Benefits	\$ 246,550	\$ 10,705	\$ 235,845	Below budgeted spending, accrual of first payroll in July for June expense	4.3%
Inventory and Equipment / Repairs/Supplies	\$ 8,050	\$ 192	\$ 7,858	Below budgeted spending YTD, very few repair or supply costs to date	2.4%
Outside Services	\$ 54,500	\$ 8,639	\$ 45,861	Represents legal fees for work related to development agreements	15.9%
Other	\$ 20,500	\$ 944	\$ 19,556	Below budgeted spending YTD	4.6%
Nuisance Abatement	\$ 5,000	\$ -	\$ 5,000	No expenditures to date	0.0%
Town Beautification	\$ 25,000	\$ -	\$ 25,000	Projects for use of these funds are being identified	0.0%
Parks and Recreation	\$ 611,600	\$ 48,366	\$ 563,234	7.9% of Total Budget used through 7/31/2019	
Wages and Fringe Benefits	\$ 225,160	\$ 14,107	\$ 211,053	Below budgeted spending, accrual of first payroll in July for June expense	6.3%
Inventory and Equipment / Repairs/Supplies	\$ 93,200	\$ 199	\$ 93,001	Expect equipment repair costs once fountain work is complete	0.2%
Buildings and Grounds and Utilities	\$ 56,500	\$ 11,951	\$ 44,549	Purchase of water fountains and restroom paint and door repairs for the park	21.2%
Outside Services	\$ 89,800	\$ 7,450	\$ 82,350	Work on Greenway design and deposit for transportation services for Stallingsfest	8.3%
Other	\$ 21,440	\$ 2,255	\$ 19,185	Few expenditures to date	10.5%
Events and Advertising	\$ 98,500	\$ 12,404	\$ 86,096	Majority of expenditures related to summer concert series and movie nights	12.6%
Capital Outlay	\$ 27,000	\$ -	\$ 27,000	Budgeted purchase for P&R minivan	0.0%

FY2019-2020

Actual vs Budget - Expenditures



Summary Report - 7/31/2019 Actual vs Budget

	Budget including amendments 2019-2020	YTD Actual 7/31/2019	Budget Remaining to YE		% of Budget Spent thru 7/31/2019
Sanitation	\$ 999,600	\$ 78,576	\$ 921,024	7.9% of Total Budget used through 7/31/2019 Negotiated contract and expect to be able to stay within budget	
Total Dept Expenditures - General Fund	\$ 6,738,600	\$ 540,630	\$ 6,197,970	Total all Departments - tracking below budget	8.0%
Capital Project Fund 41 Expenditures	\$ 1,700,000	\$ 90	\$ 1,699,910	Potter Road Pleasant Plains - Received ROW certifications and received \$1.22M from NCDOT for reimbursed costs related to the project. Utility relocation is ongoing with road construction work to estimated to begin in first quarter 2020.	
Capital Project Fund 42 Expenditures	\$ 2,348,600	\$ 177,540	\$ 2,171,060	New Town Hall and Public Works Building - Total spent on the project since inception is \$1.05M with a total budget of \$3.39M. Project is running ahead of schedule with completion by December 1	
Contingency	\$ 18,150	\$ -	\$ 18,150	Not expected to use this fiscal year	
Total GENERAL FUND	\$ 10,805,350	\$ 718,260	\$ 10,087,090	Total General Fund (including Capital Projects and Contingency)	6.6%
Less Capital Proj Fund 42 Budget	\$ 1,958,550			New Town Hall and Public Works Building - Capital budget carry forward to FY2020 (\$2,348,600 less funds appropriated in FY2020)	
Total GENERAL FUND	\$ 8,846,800	\$ 718,260	\$ 10,105,240	Total General Fund (excludes Capital Project carry forward)	8.1%

FY2019-2020

Actual vs Budget – Storm Water



Summary Report - 7/31/2019 Actual vs Budget

	Budget including amendments 2019-2020	YTD Actual 7/31/2019	Budget Remaining to YE		% of Budget Spent thru 7/31/2019
STORM WATER FUND					
Revenue	\$ 500,500	\$ -	\$ 500,500	Storm water collections in July were for previous months and accrued last FY	0.0%
Appropriated Fund Balance	\$ 208,000	\$ -	\$ 208,000	Represents amount to use for underground water detention center	0.0%
Revenue Total	\$ 708,500	\$ -	\$ 708,500		0.0%
Expenditure Total	\$ 708,500	\$ 82,264	\$ 626,236	Savings to Storm Water Fund Balance	11.6%
Wages and Fringe Benefits	\$ 105,685	\$ 5,051	\$ 100,634	Slightly below budget due to year-end accruals	4.8%
Repairs/Outside Services	\$ 361,090	\$ 77,213	\$ 283,877	Currently the Town has 8 storm water projects identified: Shannamara Dr. (\$1.5K), West Circle (\$12K), Castlemain Dr., Scheckler Lance, Brownstone Ct., Clairborne Ct., Greenbriar and Wedge Ct. (\$135K)	21.4%
Other	\$ 33,725	\$ -	\$ 33,725	No expenditures to date	0.0%
Transfer to Capital Project Fund 42	\$ 208,000	\$ -	\$ 208,000	Transfer to capital project fund for underground water detention center	0.0%

FY2019-2020

Unbudgeted Expenditures



2019/2020 Unbudgeted Items	Department	Funds to be Used from:	Amount	Council Approved Y/N	Budget Amended Y/N
<i>Total General Government - Budget Amendments</i>			\$ -		
<i>Total Capital Projects - Budget Amendments</i>			\$ -		
<i>Wedgewood Court - Storm Water Project</i>	<i>Storm Water</i>	<i>Storm Water Fund Balance</i>	\$150,000	Y	N
<i>Total Storm Water - Budget Amendments</i>			\$150,000		
<i>Total Proposed Amendments to FY19-20 Budget</i>			\$150,000		

AMENDED BUDGET ORDINANCE – NO. 1
TOWN OF STALLINGS, NORTH CAROLINA
FISCAL YEAR 2019-2020

BE IT ORDAINED by the Town Council of the Town of Stallings, North Carolina, that the estimated expenditures for the fiscal year 2019-2020 are hereby amended as set forth below:

Category	Account Number	Budgeted Amount	Amend to the Following	Net Increase or (Decrease)
<u>Revenue:</u>				
<u>Expense:</u>				
Storm Water				
Repairs/Maintenace - Major	67-97-7510-035	\$ 181,090	\$ 331,090	\$ 150,000
Storm Water Fund Balance Appropriation	67-11-3991-600	\$ -	\$ 150,000	\$ 150,000

Explanation: Amendment is needed to appropriate funds from Storm Water Fund balance for the Wedgewood Court storm water repair project

This Amendment to the Budget Ordinance shall be effective upon adoption.

The said Budget Ordinance, except as amended, shall remain in full force and effect.

ADOPTED this the 23th day of September, 2019.

Wyatt Dunn, Mayor

Erinn Nichols, Town Clerk

Approved as to form:

Melanie Cox, Town Attorney, Cox Law Firm, PLLC

**The
MAPS
Group**

Management
and
Personnel
Services

phone
704.579.9197

e-mail: cbrown@
themapsgroup.com

August 28, 2019

Mayor Wyatt Dunn and Members of Town Council
Town of Stallings
315 Stallings Road
Stallings, NC 28104

Dear Mayor and Members of Town Council:

I recently informed Town Manager Alex Sewell and Human Resources Director Karen Williams that I had erred in recommending that the Town adopt federally mandated language related to the Family and Medical Leave Act, or FMLA.

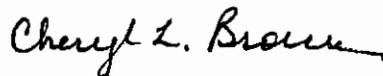
While the Town has essentially followed the provisions contained in the FMLA per its prior policy, it will not be federally mandated to do so until the number of employees of the Town reaches 50 within a 75-mile radius.

When initially researching the Act, while it states all public sector employers are covered, regardless of the number of employees, and all public sector employers must post required FMLA notices in conspicuous places for all employees to see, it goes on to state that the employees of those public sector agencies with less than 50 employees are not eligible for protected leave under the FMLA. If Stallings had temporary, part-time or auxiliary employees that took its number of employees over 50, then it would be mandated.

As a result, I have prepared revised policy language to recognize Stallings as a jurisdiction with less than 50 employees that chooses to offer family and medical leave benefits substantially equivalent to the benefits mandated by FMLA. I have included this language in a separate attachment.

My sincere apologies for my oversight. Please contact me if you should have any questions or need anything further.

Sincerely,



Cheryl L. Brown
The MAPS Group

A consulting group
specializing in
Human Resource
Management

Family and Medical Leave

Until the Town has 50 employees, the provisions of the Federal Family Medical Leave Act (FMLA) do not apply. However, the Town elects to provide some of the same provisions as specified below.

The Town **may** grant up to 12 weeks of family and medical leave per twelve months to eligible employees. The leave may be paid (coordinated with the Town's Vacation and Sick Leave policies), unpaid, or a combination of paid and unpaid. Earned compensatory time must be used first, followed by any holiday, sick or vacation time, once compensatory has been exhausted. Unpaid leave will be granted only when the employee has exhausted all appropriate types of paid leave. Additional time away from the job beyond the 12-week period may be approved in accordance with the Town's Leave without Pay policy.

The request for the use of leave must be made in writing by the employee and approved by the Town Manager.

To qualify, the employee must have worked for the **Town** 12 months or 52 weeks; these do not have to be consecutive. However, the employee must have worked 1,250 hours during the twelve-month period immediately before the date when the leave time begins.

Family and medical leave can be used for the following reasons:

- a) the birth of a child and in order to care for that child;
- b) the placement of a child for adoption or foster care;
- c) to care for a spouse, child, or parent with a serious health condition;
- d) the serious health condition of the employee; or
- e) military exigency.

A serious health condition is defined as a condition which requires inpatient care at a hospital, hospice, or residential medical care facility, or a condition which requires continuing care by a licensed health care provider. This policy covers illness of a serious and long-term nature resulting in recurring intermittent or lengthy absences. Generally, a chronic or long-term health condition which results in a period of incapacity for more than three days would be considered a serious health condition.

If a husband and wife both work for the Town and each wish to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (not parent in-law) with a serious health condition, the husband and wife together may only take **up to** a total of 12 weeks leave.

An employee taking leave for the birth of a child may use paid sick leave for the period of actual disability, based on medical certification. The employee shall then use all paid vacation, accrued compensatory time and leave without pay for the remainder of the **leave** period.

"Military Exigency" is a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military service member (reserve or national guard) under a call or order

to federal active duty in support of a contingency operation. Qualifying events are:

- a) deployment of service member with seven or fewer days' notice;
- b) military ceremonies and events such as family-assistance or informational programs related to the family member's active duty or call to active duty;
- c) urgent, immediate childcare or arranging for alternative childcare for the children of service members;
- d) attending school or daycare meetings relating to the child of service member;
- e) making financial or legal arrangements related to a family member's active duty status or call to active duty;
- f) taking up to five days leave to spend with a covered military member who is on short-term temporary rest and recuperation leave during deployment;
- g) attending counseling provided by someone other than a health provider for oneself, the covered military member, or the child of the military member, the need for which arises from the active duty service or call to active duty status or the covered military member; or
- h) post-deployment activities for a period of ninety days after the termination of the service member's active duty status.

Military Caregiver Leave: An employee whose spouse, son, daughter, parent or next of kin is a current service member who is undergoing treatment, therapy, recuperation or outpatient treatment or has temporary disability retirement for injury or illness sustained in the line of duty, **may be** eligible for 26 weeks of leave in a single 12-month period. During a single 12-month period, the employee **may be** eligible for a total of 26 weeks of all types of leave combined.

The request for the use of leave must be made in writing by the employee and approved by the Town Manager.

An employee who takes leave under this policy **may** return to the same job or a job with equivalent status, pay, benefits, and other employment terms. The position **may** be the same or one which entails substantially equivalent skill, effort, responsibility, and authority.

Section XX. Medical Certification

In order to qualify for leave under this policy, the Town requires medical certification. This statement from the employee's or the family member's physician should include the date when the condition began, its expected duration, diagnosis, and brief statement of treatment. For the employee's own health condition, it should state that the employee is unable to perform the essential functions of his/her position. For a seriously ill family member, the certification must include a statement that the patient requires assistance and the employee's presence would be beneficial or desirable.

This certification should be furnished at least 30 days prior to the needed leave unless the employee's or family member's condition is a sudden one. The certification should be furnished

as soon as possible (no longer than 15 days from the date of the employee's request). The certification and request must be made to the department director and filed with the **Human Resources Director**.

The employee is expected to return to work at the end of the time frame stated in the medical certification, unless he/she has requested additional time in writing under the Town's Leave Without Pay policy.

Section XX. Retention and Continuation of Benefits

When an employee is on leave under this policy, the Town **may** continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. If an employee chooses not to return to work for reasons other than a continued serious health condition, the Town will require the reimbursement of the amount paid for the employee's health insurance premium during the leave period.

Other insurance and payroll deductions are the responsibility of the employee and the employee must make those payments for continued coverage of that benefit by the first of each month. After using all paid leave for which the employee qualifies, the employee on family and medical leave may use Leave without Pay for the remainder of the **leave** period. An employee ceases to earn holiday or leave credits on the date leave without pay begins.



Stallings Police Department

M. E. Plyler Jr.
Chief of Police

J.T. Flynn
Asst Chief of Police

T.L. Harrington
Operations Captain

To: Alex Sewell
From: M. E. Plyler Jr
Re: Selling Used Patrol Vehicle / 2010 Crown Victoria
Vin: 2FABP7BV0AX105684
Date: September 16, 2019

Mr. Manager:

I am requesting approval for the selling of a used patrol vehicle to the Town of Hamlet Police Department. The vehicle is one the department is removing from the fleet due to its years of service and mileage.

Asst. Chief Flynn was contacted by the Town of Hamlet Police Department. They had learned of our plan to off-line the vehicle from patrol use. Their intent is to use the vehicle for a limited driven, admin vehicle for an office personnel.

The quoted trade in offered by our patrol vehicle vendor is \$1000. The Kelly Blue Book value of the vehicle is in the area of \$2,000. I am seeking approval to sell the listed vehicle to the Town of Hamlet Police Department for \$2,000.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "M. E. Plyler Jr.", is written over the typed name.



Stallings Police Department

M. E. Plyler Jr.
Chief of Police

J.T. Flynn
Asst Chief of Police

T.L. Harrington
Operations Captain

To: Alex Sewell / Town Council
From: M. E. Plyler Jr
Re: Purchasing of Duty Weapon
Glock Model 17 S/N: BGYH666

Date: September 16, 2019

It is customary, when an officer retires in good standing from a police department, he/she is allowed to purchase their duty firearm.

Attached, you will find the NC General Statute that allows the governing body to sell the weapon to the retiring officer. Typically, it is a symbolic fee of one dollar, however the council can set what they feel is a reasonable price.

I would like to request to purchase my duty sidearm detailed above.

Sincerely,

M. E. Plyler Jr

§ 20-187.2. Badges and service side arms of deceased or retiring members of State, city and county law-enforcement agencies; weapons of active members.

(a) Surviving spouses, or in the event such members die unsurvived by a spouse, surviving children of members of North Carolina State, city and county law-enforcement agencies killed in the line of duty or who are members of such agencies at the time of their deaths, and retiring members of such agencies shall receive upon request and at no cost to them, the badge worn or carried by such deceased or retiring member. The governing body of a law-enforcement agency may, in its discretion, also award to a retiring member or surviving relatives as provided herein, upon request, the service side arm of such deceased or retiring members, at a price determined by such governing body, upon determining that the person receiving the weapon is not ineligible to own, possess, or receive a firearm under the provisions of State or federal law, or if the weapon has been rendered incapable of being fired. Governing body shall mean for county and local alcohol beverage control officers, the county or local board of alcoholic control; for all other law-enforcement officers with jurisdiction limited to a municipality or town, the city or town council; for all other law-enforcement officers with countywide jurisdiction, the board of county commissioners; for all State law-enforcement officers, the head of the department.

(b) Active members of North Carolina State law-enforcement agencies, upon change of type of weapons, may purchase the weapon worn or carried by such member at a price which shall be the average yield to the State from the sale of similar weapons during the preceding year.

(c) For purposes of this section, certified probation and parole officers shall be considered members of a North Carolina State law enforcement agency. (1971, c. 669; 1973, c. 1424; 1975, c. 44; 1977, c. 548; 1979, c. 882; 1987, c. 122; 2013-369, s. 19; 2016-77, s. 9(b).)



OATH OF OFFICE

I, Mary McCall, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Assistant Town Clerk for the Town of Stallings, so help me God.

This the 23rd day of September, 2019.

Mary McCall

Subscribed and sworn to before me
this the 23rd day of September, 2019.

Erinn E. Nichols, Notary Public
My commission expires:

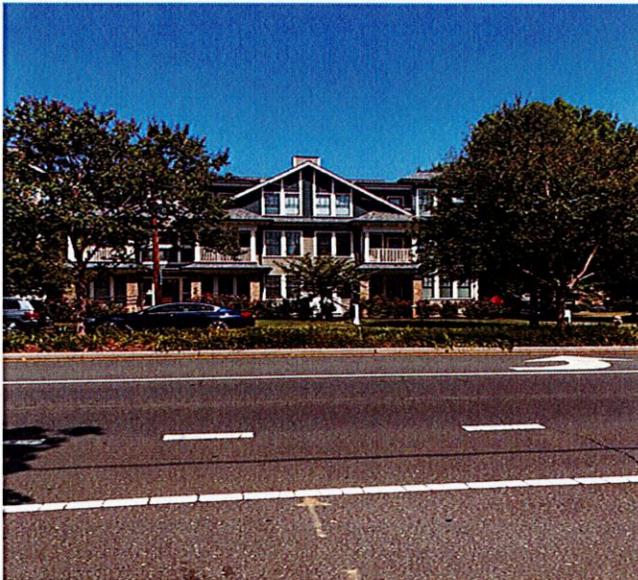
Considerations for Changes to Multifamily/ Mixed Use Districts

This info is intended to start a conversation and to encourage council and staff to seek out other examples that will clarify the intent of the UDO and small area plans as well as facilitate a deeper analysis of architectural standards for future developments.

The NFocus Consultant who helped develop the town's ordinance and standards for multifamily, made several references for building types and architectural features that may need to be highlighted to a greater degree to get the quality and a suitable style for multifamily projects. Some of these are noted below.

1. "The multi-family building is a residential building accommodating **several** households. In traditional Cities, this building type co-exists with a variety of other building types and is located in or near mixed use districts. A successful contemporary design **permits it's integration with other building types** through the coordination of site and building design." 9.4-1 from Article 9, page 9 (emphasis added)
2. Structures should be designed to establish the design template and serve as a **key focal point** in the neighborhood.

The above reference suggests as Rick Flowe commented in his presentations, that multifamily buildings are to be integrated into a neighborhood which also includes single family detached residences, office and other commercial uses rather than having quite large buildings with multiple dwelling units per building. Mr. Flowe included a photo of a building in Concord . The following example from East Blvd. in Charlotte also demonstrates this concept. This building has 24 units and is surrounded by a church, an attorney office, a financial planner office, and single family detached homes behind it. It's quite attractive and seems consistent with the kind of products our ordinance aimed to create. It has roughly 7000 square feet per floor, is 3 stories and has parking underneath and on street parking on the side street.





As we work to improve the UDO let's consider adding some limitation on the size of the building and the number of units per building. We also may want to add parking under the building which is not currently mentioned in the ordinance and other measures to improve the aesthetics of proposed communities.